

UNITED STATES CIVIL SERVICE COMMISSION

WASHINGTON 25, D. C.

September 8, 1950
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DEPARTMENTAL CIRCULAR NO. 638

TO: HEADS OF DEPARTMENTS AND INDEPENDENT ESTABLISHMENTS

SUBJECT: Restrictions on personnel actions imposed by Public Law 752 of September 2, 1950 (H. J. RES. 537).

Public Law 752 which was signed September 2, 1950, makes available until not to exceed September 30, 1950, funds which would be made available by the Supplemental Appropriation Act of 1951 (H.R. 9526, 81st Congress) "to the extent and in accord with the terms provided for by said Act as passed by the House of Representatives on August 26, 1950".

Section 1102 of H.R. 9526 as passed by the House of Representatives on August 26, 1950, places certain restrictions as of September 1, 1950 on reinstatements, transfers, and promotions as follows:

"...and no employee in the classified civil service promoted, transferred or appointed to a position of higher grade shall be eligible, in the event of separation from the service through reduction in force, to reinstatement at a grade above the grade held by such employee on September 1, 1950; and all reinstatements, transfers or promotions to positions subject to the Classification Act of 1949 shall be temporary and shall be made with the condition and notice to the individual reinstated, transferred or promoted that the classification grade of the position is subject to post-audit and correction by the appropriate departmental or agency personnel office or the Civil Service Commission;"

It also provides:

"(c) The Department of Defense is authorized to call on other departments or agencies for such additional personnel as it may require within the limits of its funds."

Section 1102 also places certain direct responsibility on the Commission in accordance with the following provisions:

"(a) In making appointments in the government service the Civil Service Commission shall make full use of its authority to make temporary appointments in order to prevent increases in the number of permanent personnel..."

"(b) The names of all persons to be terminated under reductions in force in the departments and agencies of the Government shall be certified as eligible for appointment to positions in agency programs determined by the President to be related directly to national defense, if qualified, at not to exceed the grade and salary last held in the terminating agency or department;"

It is the intent of the Commission to prepare regulations relating to these matters for issuance upon enactment of the Supplemental Appropriation Act, 1951, insofar as it contains language now contained in Section 1102 of H.R. 9526. In the meantime, it would appear that the restrictions contained in Section 1102 of H.R. 9526 are applicable in the expenditure of funds made available by Public Law 752 (House Joint Resolution 537).



L. A. Moyer
Executive Director

STATINTL

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